

By: **Delegate Hammen**

Rules suspended

Introduced and read first time: March 9, 2004

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 17, 2004

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City - ~~Public~~ Alleys**

3 FOR the purpose of authorizing the Mayor and City Council of Baltimore City to gate
4 or close a ~~public~~ an alley under certain circumstances for certain purposes;
5 authorizing the Mayor and City Council of Baltimore City to lease a certain
6 closed or gated alley to a certain entity; and generally relating to gated or closed
7 ~~public~~ alleys in Baltimore City.

8 BY repealing and reenacting, with amendments,
9 The Charter of Baltimore City
10 Article II - General Powers
11 Section (35)
12 (1996 Edition and 2000 Supplement, as amended)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **The Charter of Baltimore City**

16 Article II - General Powers

17 The Mayor and City Council of Baltimore shall have full power and authority to
18 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
19 Maryland or by any Public General or Public Local laws of the State of Maryland; and
20 in particular, without limitation upon the foregoing, shall have power by ordinance, or

1 such other method as may be provided for in its Charter, subject to the provisions of
2 said Constitution and Public General Laws:

3 (35)

4 (a) To regulate the construction and installation of public streets, lanes and
5 alleys, and private streets, lanes and alleys used or intended to be used by the public;

6 (b) To ascertain, fix, establish and mark on the ground, from time to time, the
7 lines and grades of any or all such public or private streets, lanes and alleys, or any
8 part or parts thereof, and to require conformity thereto;

9 (c) To regulate the construction and installation of utilities and other facilities
10 in, under or over any or all such public or private streets, lanes and alleys;

11 (d) To prevent encroachment on, or obstruction of, any of such public or
12 private streets, lanes or alleys, or any public places;

13 (E) TO ~~CLOSE OR GATE OR CLOSE A PUBLIC~~ AN ALLEY THAT IS NO LONGER
14 NEEDED FOR THROUGH PEDESTRIAN OR VEHICULAR TRAFFIC, IN ORDER TO
15 PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE; AND

16 (F) TO LEASE A CLOSED OR GATED ALLEY TO AN ENTITY THAT ~~IS FORMED BY~~
17 CONSISTS OF THE PROPERTY OWNERS OF A MAJORITY OF THE WHOSE LOTS
18 ABUTTING ABUT THE ALLEY.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 ~~October~~ July 1, 2004.